

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-358-09-007

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 12/28/2021

## **ACTIVE ITEMS**

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

All items not listed below are active.

## **SUPERSEDED AND OBSOLETE ITEMS**

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Item 2 is superseded by DAA-0358-2017-0007-0003.

Items 4a and 4b are superseded by DAA-0358-2017-0007-0006.

Item 10 is superseded by DAA-0358-2017-0007-0002.

Item 9 is superseded by DAA-0358-2017-0007-0004.

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b> (See Instructions on reverse)		<b>LEAVE BLANK (NARA use only)</b>	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER NI-358-09-7	DATE RECEIVED 9/1/09
1 FROM (Agency or establishment) Federal Maritime Commission		NOTIFICATION TO AGENCY	
2 MAJOR SUBDIVISION Office of the Secretary			
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER Jane Gregory, Management Analyst	5 TELEPHONE 202-523-5800	DATE 8/26/09	ARCHIVIST OF THE UNITED STATES <i>[Signature]</i>

6 AGENCY CERTIFICATION  
I hereby certify that I am authorized to act for this agency in the matters pertaining to the disposition of its records and that the records proposed for disposal attached 3 page(s) are not needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manuel for Guidance of Federal Agencies,

is not required,  is attached, or  has been requested

DATE 8/26/2009	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i>	TITLE Chief Information Officer
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7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	SEE ATTACHMENTS		

ATTACHMENT A

FEDERAL MARITIME COMMISSION (FMC)

Item No.	Description of Item and Proposed Disposition	GRSror Superseded Job Citation	Action Taken (NARA Use Only)
<b>OFFICE OF THE SECRETARY (OS)</b>			
1	<p><b><u>Reading Files (OS)</u></b> contain copies of the Office of the Secretary's incoming and outgoing correspondence to staff, the public, other Government agencies and Congressional interests relating to Commission authorities, procedures, policies, actions or decisions</p>	NC1-358-81-2/21	
	<p><b><u>DISPOSITION: Temporary.</u></b> Cut off at end of calendar year, destroy 15 years after cutoff</p>		
2	<p><b><u>Non-Attorney Practitioner Files</u></b> contain application form and letters of reference for persons, not attorneys, who apply for or are granted permission to practice before the Commission [These records are subject to the Privacy Act ]</p>	NC1-358-81-2/23	
	<p><b><u>DISPOSITION: Temporary.</u></b> Cut off at end of calendar year in which it is established that applicant no longer practices before the Commission Destroy 15 years after cutoff</p>		
3	<p><b><u>Fact Finding Investigations</u></b> files contain correspondence, orders, notices, rules, transcripts, and other related material for investigations held where information is needed for purposes of rulemaking, or helpful in carrying out duties, or to determine whether the Shipping Acts or Commission-administered rules have been violated Fact finding investigations are used as an alternative to formal proceedings and are conducted by a designated official, pursuant to the Commission's Rules of Practice and Procedure, Subpart R, Nonadjudicatory Investigations The official file is accumulated by the Fact Finding Investigative Officer and, upon completion, submitted to the Secretary's Office Files are arranged numerically and material therein is filed in chronological order</p>	NC1-358-81-2/25	
	<p><b><u>DISPOSITION: Temporary.</u></b> Cutoff at end of calendar year in which investigation is completed Destroy 30 years after cutoff</p>		

4 **Official Docket** contains the record copies of formal, informal (small claims), and special docket and rulemaking proceedings instituted by Commission order or by formal complaint or small claim alleging a violation of the Shipping Act, 1916, as amended, the Shipping Act of 1984, as amended, and other applicable laws, or proposing rules. The docket consists of orders, notices, correspondence, transcripts, pleadings and exhibits, motions, petitions and briefs, and other documents submitted as evidence in proceedings. Files are arranged by docket number in hard-bound docket binders, size 10-1/2 inches by 13 inches, and material contained therein is filed chronologically.

**DISPOSITION:**

(a) **For other than significant cases: Temporary.** Cut off at end of calendar year in which proceeding is completed. Destroy 15 years after cutoff. N1-358-93-1/1

(b) **For significant cases having wide public interest, specifically cases setting notable legal precedent or those cases of high press or public interest. Permanent.** Cut off at end of calendar year in which proceeding is completed. Transfer to National Archives 10 years after cutoff. N1-358-93-1/1

5 **Interoffice Confidential Files** contain materials related to formal hearings (dockets), including administratively restricted intra-agency memos and correspondence peripheral to subject of hearing, which is not included in the official docket file. Files are arranged in individual folders by docket number and material contained therein is filed in chronological order.

**DISPOSITION: Temporary.** Cut off at end of calendar year in which proceeding is completed. Destroy 30 years after cutoff. NC1-358-81-3/2

6 **Environmental Assessments (Findings of No Significant Impact – FONSI)** include Notices of Intent to Make an Environmental Assessment (in some cases), Notices of Availability of Finding of No Significant Impact; environmental assessments, correspondence, applicable Commission Notices, research data, and work papers.

**DISPOSITION: Temporary.** Cut off at end of calendar year in which environmental assessment is completed. Destroy 15 years after cutoff. NC1-358-81-2/83

7 **Environmental/Energy Impact Statements** include Notices of intent to Make an Environmental Assessment, Notices of Availability of Draft Environmental Impact Statements, Draft Environmental Impact Statements, Notices of Availability of Final Environmental Impact Statements, Final Environmental Impact Statements, Notices of Availability of Energy Impact Statements, Energy Impact Statements, correspondence, applicable Commission notices, research data, and work papers

**DISPOSITION: Temporary.** Cut off at end of calendar year in which environmental assessment is completed Destroy 15 years after cutoff

NC1-358-81-2/84

8 **Certification Files** contain documents pertaining to one-time requests for certification and validation of documents filed with or issued by the Commission Files are arranged in chronological order

**DISPOSITION: Temporary.** Cut off at end of calendar year in which certification is completed, destroy 5 years after cutoff

9 **Subject Files (OS)** contain letters, memoranda, reports and other documents created or acquired from other offices and/or agencies in formulating and implementing plans, responses and decisions on matters of major policy impact or in providing operational and managerial guidance concerning all programs, functions and objectives of the Commission Files are arranged alphabetically by subject matter, and material therein is filed chronologically

**DISPOSITION: Temporary.** Cut off at end of calendar year in which final action is officially recorded, destroy 10 years after cutoff or when no longer needed for reference, whichever is later

10 **Chairmen and Commissioners' Speech, Biography and Photograph Files** contain biographic resumes of the Chairmen and Commissioners Interfiled with the biographies are copies of speeches, articles, and official photographs of the Chairmen and Commissioners Files are arranged chronologically and thereunder alphabetically by name

**DISPOSITION: Permanent.** Cut off at end of calendar year in which Chairman/Commissioner leaves the agency Transfer records to National Archives immediately after cutoff

NC1-358-81-2/5a, 6, 10

11 **FMC Minutes** contain the official record of agendas for

~~Commission meetings, along with memoranda and other documents prepared by the staff presenting matters to the Commission for action, and a record of the Commission's actions thereon. Includes transcripts of closed Commission meetings. Minutes are arranged chronologically in unbound form—1948 to present.~~

~~**DISPOSITION: Permanent.** Cut off at end of calendar year; transfer to WNRC 15 years after cutoff—Accession to NARA 30 years after cutoff.~~

Existing authority  
still applies  
NC1-358-81-2/20

## ATTACHMENT B

### FEDERAL MARITIME COMMISSION

#### IDENTIFICATION OF CHANGES TO RESCHEDULED ITEMS

<u>Item</u>	<u>Series Title</u>	<u>Description of Change</u>
1	Reading File (OS)	The disposition for this series of records has been amended to reflect that files are retained in the office (rather than transferred to WNRC) and then destroyed 15 years after cutoff (rather than 20 years) This more closely fits current business practices
2	Non-Attorney Practitioner Files	The disposition for this series of records has been amended to reflect that files are retained in the office (rather than transferred to WNRC) and then destroyed 15 years after cutoff (rather than 30 years) This more closely fits current business practices
3	Fact Finding Investigations	The disposition of this series of records has been amended to reflect that files are retained in the office (rather than transferred to WNRC), disposition remains at 30 years after cutoff)
4	Official Docket	This series of records has been changed to more specifically define "significant cases having wide public Interest " "Significant Cases Having Wide Public Interest" are designated as permanent records
5	Interoffice Confidential Files	This series of records has been amended to consolidate "Significant" and "Other Than Significant" files, with a disposition date of 30 years after cutoff
6	Environmental Assessments (Findings of No Significant Impact – FONSI)	This series of records has been amended to combine "Other Than Significant Cases" with "Significant Cases," with a retention period of 15 years after cutoff This more closely fits current business practices
7	Environmental/Energy Impact Statements	This series of records has been amended to combine "Other Than Significant Cases" with "Significant Cases," with a retention period of 15 years after cutoff This more closely fits current business practices
8	Certification Files	This is a newly scheduled series of records

- 9 Subject Files (OS) This is a newly scheduled series of records
- 10 Chairmen and Commissioners' Speech, Biography and Photograph Files This series of records was formerly kept by the Office of the Chairman. The Office of the Secretary now maintains these biographies, speeches and photographs, which are usually published on the FMC website at [www.finc.gov](http://www.finc.gov). This series of records would also cover the speeches of FMC Chairmen and Commissioners that were formerly covered under "Information Files" [NC1-358-81-2/5] and "Commissioners' Business Files" [NC1-358-81-2/10]
- 11 FMC Minutes This series of records has been amended to reflect that the records now will be transferred to WNRC 15 years after cutoff (rather than 20 years), these permanent records will be accessioned to NARA 30 years after cutoff
- 12 Federal Register Original Issues The Federal Register has discontinued returning these requests for publication, termed "original issues", this series of records should be dropped
- 13 Privacy Act Reports Files The annual Privacy Act report is now part of the annual Federal Information Security Management Act Evaluation by the agency Inspector General. All other reports/one-time information requirements relating to the Commission's implementation of the Privacy Act would be covered by GRS 14, Item 25. Therefore, this series of records should be dropped
- 14 Freedom of Information Act Report Files The FMC's annual FOIA report is no longer made to Congress, but rather to the Department of Justice (which makes the annual FOIA report to Congress). All other reports/one-time information requirements relating to the Commission's implementation of the FOIA would be covered under GRS 14, Item 14. Therefore, this series of records should be dropped